

**MEDICAL BOARD OF CALIFORNIA**

1426 Howe Avenue, Suite 54
 Sacramento, CA 95825-3236
 (916) 263-2424 FAX: (916) 263-2435
 www.mbc.ca.gov

**REQUEST FOR COPY OF 805 REPORT**

(Pursuant to Business & Professions Code 805.5)

Requestor Information

Is the requesting entity an LVS user? If yes, enter Facility Login _____

If **not**, indicate the type of requesting entity:☐ Health care facility licensed by California Dept. of Health Services (H&S Code Div. 2, § 1200)**PLEASE ATTACH A COPY OF THE LICENSE ISSUED**☐ Health care service plan licensed by Dept. of Managed Health Care - enter license # _____☐ Medical care foundation☐ Other _____

Name of requesting entity: _____

Mailing address: _____

Medical staff person (& title) requesting copy: _____

Phone #: _____ Fax # _____

(Copies will be faxed on an emergency basis ONLY.)

Requested Information

Physician's name (Last, First, MI)	California medical license #

Medical Board Response (for Medical Board use ONLY)

Date returned to requestor: _____

☐ A copy of the 805 report(s) as requested above is attached.☐ There are no 805 reports on file with the Medical Board as of this date for this physician.☐ Your request cannot be granted:

You have not provided proof that you are entitled to receive copies of 805 reports (see reverse).

The requesting facility is not licensed by DHS or DMHC as required (see reverse).

The requesting facility is not a medical care foundation.

The request lacks sufficient information as follows: _____.

For additional information, please contact Keith DeGeorge at (916) 263-2449.

Section 805.5 California Business and Professions Code

(a) Prior to granting or renewing staff privileges for any physician and surgeon, psychologist, podiatrist, or dentist, any health facility licensed pursuant to Division 2 (commencing with Section 1200) of the Health and Safety Code, or any health care service plan or medical care foundation, or the medical staff of the institution shall request a report from the Medical Board of California, the Board of Psychology, the Osteopathic Medical Board of California, or the Dental Board of California to determine if any report has been made pursuant to Section 805 indicating that the applying physician and surgeon, psychologist, podiatrist, or dentist has been denied staff privileges, been removed from a medical staff, or had his or her staff privileges restricted as provided in Section 805. The request shall include the name and California license number of the physician and surgeon, psychologist, podiatrist, or dentist. Furnishing of a copy of the 805 report shall not cause the 805 report to be a public record.

(b) Upon a request made by, or on behalf of, an institution described in subdivision (a) or its medical staff, which is received on or after January 1, 1980, the board shall furnish a copy of any report made pursuant to Section 805. However, the board shall not send a copy of a report (1) if the denial, removal, or restriction was imposed solely because of the failure to complete medical records, (2) if the board has found the information reported is without merit, or (3) if a period of three years has elapsed since the report was submitted. This three-year period shall be tolled during any period the licensee has obtained a judicial order precluding disclosure of the report, unless the board is finally and permanently precluded by judicial order from disclosing the report.

In the event a request is received by the board while the board is subject to a judicial order limiting or precluding disclosure, the board shall provide a disclosure to any qualified requesting party as soon as practicable after the judicial order is no longer in force. In the event that the board fails to advise the institution within 30 working days following its request for a report required by this section, the institution may grant or renew staff privileges for the physician and surgeon, psychologist, podiatrist, or dentist.

(c) Any institution described in subdivision (a) or its medical staff that violates subdivision (a) is guilty of a misdemeanor and shall be punished by a fine of not less than two hundred dollars (\$200) nor more than one thousand two hundred dollars (\$1,200).